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## ATTORNEY DOCKET NO. 21087.0019U5 PATENT

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| In re Application of                                   | )           |                             |
|--|-------------|-----------------------------|
| Stone et al.   | )           | Art Unit: Unassigned        |
| Application No. 10/619,761                             | )           | Examiner: Unassigned        |
| Filing Date: July 14, 2003                             | )           | Confirmation No. Unassigned |
| For: MACULAR DEGENERATION DIAGNOSTICS AND THERAPEUTICS | )<br>)<br>) |                             |

#### INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 NEEDLE & ROSENBERG, P.C. Customer Number 23859

Sir:

Pursuant to the requirements of 37 C.F.R. § 1.56, submitted herewith on the accompanying Form PTO 1449 is a listing of documents known to Applicants and/or their attorneys. All of the documents listed were cited by or submitted to the Patent Office in Application No. 09/322,357, filed May 28, 1999, to which the present application claims priority. Pursuant to 37 C.F.R. § 1.98(d), copies of these documents are not enclosed.

This Information Disclosure Statement is believed to be filed in a timely manner pursuant to 37 C.F.R. § 1.97(b)(3), in that a first Office Action on the merits of the present patent application has not yet been mailed to Applicants.

Consideration of the cited documents and making the same of record in the prosecution of the above-referenced application are respectfully requested.

## **ATTORNEY DOCKET NO. 21087.0019U5 Application No. 10/619,761**

No fee is believed to be due; however, the Commissioner is hereby authorized to charge any fees which may be required or to credit any overpayment to Deposit Account No. 14-0629.

Respectfully submitted,

NEEDLE & ROSENBERG, P.C.

Robert A. Hodges

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#### CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence, including any items indicated as attached or included, is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date indicated below.

Robert A. Hodges

Date

Form PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

Complete if Known Application Number 10/619,761 Filing Date July 14, 2003 First Named Inventor | Stone

| 31 181 (31-1                      | LIST OF INFORMATION CITED BY APPLICANT |  |         |         |             | Nameu mvemo                                | Ston          |                 |                             |  |
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|                                   | U.S. PATENT DOCUMENTS                  |  |         |         |             |  |               |                 |                             |  |
| Examiner's<br>Initials            | Cite<br>No.                            | Document No.   | D       | Date    |             | Name                                       | Class         | Subclass        | Filing Date (if appropriate |  |
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| Examiner's Initials               | Cite<br>No.                            | Foreign Patent Document<br>Country Code-Number-Kind Code   |         | Date    |             | Nan  | пе            | T               | ranslation<br>Yes/No        |  |
|                                   | A1                                     | WO 99/47655  |         |         |             | Schmitt et al.                             |               |                 |                             |  |
|                                   | A2                                     | WO 99/00410  | 01/07/9 |         |             | Incyte Pharma                              |               |                 |                             |  |
|                                   | A3                                     | WO 97/26371  |         | 07/24/9 | 97          | The University of Iowa Research Foundation |               |                 | a e la company              |  |
|                                   |  |  |         |         |             |  |               |                 |                             |  |
| . 54                              | NON-PATENT DOCUMENTS                   |  |         |         |             |  |               |                 |                             |  |
| Examiner's<br>Initials            | Cite<br>No.                            |  |         | -       |             | , Publisher, Relevant Page                 | s, Date and P | lace of Publica | ation)                      |  |
|                                   | A4                                     | Chang et al., "Cloning of a portion of the chromosomal gene and cDNA for human B-fordin, the nonerythroid form of B-spectrin." <i>Genomics</i> 17:287-293 (1993)                                     |         |         |             |  |               |                 |                             |  |
|                                   | A5                                     | Choo et al., "Expression of Human Blood Clotting Factor IX In Transgenic Mice: Use of a cDNA with Complete mRNA Sequence." <i>Nucl. Acids Res.</i> 15(3):871-884 (1987)                              |         |         |             |  |               |                 |                             |  |
|                                   | A6                                     | Colon et al., "Notch 1 is Required for the Coordinate Segmentation Somites."  Development 121:1533-1545 (1995)   |         |         |             |  |               |                 |                             |  |
|                                   | A7                                     | Evans et al., "Clinical Characterization and Genetic Linkage analysis in Doyne's honeycomb Retinal degeneration." <i>Invest. Ophthalmol. Vis. Sci.</i> 36(4):890(1995), Database Biosis No. 98249743 |         |         |             |  |               |                 |                             |  |
|                                   | A8                                     | GenBank Accession Number UO3877  |         |         |             |  |               |                 |                             |  |
|                                   | A9                                     | Graff et al., "Fine Mapping of Best's Macular Dystrophy Localizes the Gene in Close Proximity to But Distinct From the D11S480 / ROM1 Loci." <i>Genomics</i> 24:425-434 (1994)                       |         |         |             |  |               |                 |                             |  |
|                                   | A10                                    | Gregory et al., "The gene responsible for autosomal dominant Doyne's honeycomb retinal dystrophy (DHRD) maps to chromosome 2p16." Hum. Mol. Genet. 5(7):1055-1059 (1996)                             |         |         |             |  |               |                 |                             |  |
|                                   | A11                                    | Heon et al., "Linkage of autosomal-dominant radial drusen (malattia leventinese) to chromosome 2p16-21." Arch. Opthalmol. 114:193-198 (1996)   |         |         |             |  |               |                 |                             |  |
|                                   | A12                                    | Ikegawa et al., "Str<br>(FBNL) that is high  | ly ho   | mologo  | us to f     | ibrillin." <i>Genomi</i>                   | s 35:59       | 0-592 (1        | 996)                        |  |
|                                   | A13                                    | Kappel et al., "Regulating gene expression in transgenic animals." Curr. Opin. Biotech. 3:548-553 (1992)   |         |         |             |  |               |                 |                             |  |
|                                   | A14                                    | Kilpatrick et al., "Delivery of Hammerhead Ribozyme Specifically Down-regulates the Production of Fibrillin -1 by Cultured Dermal Fibroblasts." <i>Hum. Mol. Genet.</i> 5(12):1939-1944 (1996)       |         |         |             |  |               |                 |                             |  |

|         | A15        | Lecka-Czernik et al., "An overexpression gene transcript in senescent and quiescent human fibroblast encoding a novel protein in the epidermal growth factor-like repeat family stimulates DNA synthesis." <i>Mol. Cell. Biol.</i> 15:120-128 (1995)   |  |  |  |  |
|---------|------------|--|--|--|--|--|
|         | A16        | Montgomery and Dietz, "Inhibition of Fibrillin 1 Expression Using U1 snRNA as a Vehicle for the Presentation of Antisense Targeting Sequence." <i>Hum. Mol. Genet.</i> 6(4);519-525 (1997)   |  |  |  |  |
| _       | A17        | Moreadith and Radford, "Gene Targeting in Embroynic Stem Cells: the new Physiology and Metabolism," <i>J. Mol. Med.</i> 75: 208-216 (1997)   |  |  |  |  |
|         | A18        | Moreadith and Radford, "Perspectives Series: Molecular Medicine in Genetically Engineered Animals." J. Clin. Invest. 98(11):S37-S40 (Supplement 1996)  |  |  |  |  |
|         | A19        | Mullins and Mullins, "Perspectives Series: Molecular Medicine in Genetically Engineered Animals," <i>J. Clin. Invest.</i> 98(11):S37-S40 (Supplement 1996)   |  |  |  |  |
|         | A20        | Munier et al., "Malattia Levantinese: exclusion of Known Disease Causing Gene Associated with Macular Dystrophies." <i>Am. J. Hum. Genet.</i> 57(4):33 (1995)  |  |  |  |  |
|         | A21        | Partial International Search Report received on January 5, 2001  |  |  |  |  |
|         | A22        | Rudinger, "Characteristics of the Amino Acids as Components of Peptide Hormone Sequence." <i>Peptide Hormones</i> , J. A. Parsons, ed., National Institute for Medical Research Mill Hill, London, University Park Press, Baltimore. London, Tokyo, pp. 5-7 (June 1976)  |  |  |  |  |
|         | A23        | Seamark, "Progress and Emerging Problems in Livestock Transgenesis: a summary Perspective." Reprod. Fertil. Dev. 6:653-657   |  |  |  |  |
|         | A24        | Small et al., "North Carolina macular dystrophy (MCDR1). A review and refined mapping to 6q14-q 16.2." Ophthalmic Paedr. Genet. 14(4):143-150 (1993)   |  |  |  |  |
|         | A25        | Stone et al., "A single EFEMP1 mutation associated with both Malattia Leventinese and Doyne honeycomb retinal dystrophy." <i>Nat. Genet.</i> 22(2):199-202 (June 1999)   |  |  |  |  |
|         | A26        | Viville, "Mouse Genetic Manipulation via Homologous Recombination." Huodebine (eds.), Harwood Academic Publishers, France pp. 307-321 (1997)   |  |  |  |  |
|         | A27        | Wall, "Transgenic Livestock: Progress and Prospects for the Future."  Theriogenology 45:57-68 (1996)   |  |  |  |  |
|         | A28        | Weber, "Die agenetik der Makuladegenerationen." Klinische Monatsblatter fur Augenheilkunde 210(1):9-17 (January 1, 1997)   |  |  |  |  |
|         | A29        | Zhang et al., "Genetics and Molecular Studies of Macular Dystrophies: Recent Developments." Surv. Ophthalmol. 40(1):51-61 (1995)   |  |  |  |  |
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